Calling attention to a matter of urgent public importance

re : Tractor Trolly Accident at Humnabad Taluk

Sri V. N. PATIL.—Madam, I call the attention of the Minister for Labour to the accident of tractor trolly belonging to Venkateshwar Khandasari Sugar Mills, Manna Ekheli, Humnabad Taluk.

Sri AZEEZ SAIT (Minister for Labour). —Madam, Shri V. N. Patil, has drawn the attention to the following matter.

A Tractor Trolly carrying 70 workers working in the Venkateshwar Khandasari Sugar Mills, Manna-Ekheli, Taluk Humnabad, Bidar District met with an accident at Vithalpur on 21st December 1971 ; wherein one worker by name Sri Abbas Khan lost his life, 3 persons lost their hands resulting into amputation and 40 other workers suffered multiple injures and that during the last 3 months none of the workers received a single Paise towards maintenance or treatment or compensation. There were 600 workers working in the factory and in view of the accident the public mind was greatly agitated.

There is a Khandasari Sugar Mills Factory by name Venkateshwara Khandasari Sugar Mills, Manna-Ekheli, Taluk Humnabad, Bidar District. On 21st December 1971 at about 8-00 A.M. about 50-60 workers were taken in a Tractor trolly (belonging to the management) bearing No. MYI 3138 to go to the factory for work. It was the normal practice to transport to the factory, daily, the workers who were residing at places at a distance of 5-6 miles. It is reported that the Vehicle on the date of accident was being driven by one Bhimsha, s/o Manik, aged 21 years of Medigi Zahirabad taluk (Andhra Pradesh). He was not qualified to drive the vehicle as he was not possessing a valid Driving Licence. The tractor trailer went off the road and capsized during its journey to the factory causing injury to all the workers in the trailor including one fatal case. The place of accident is near Lingol Nala Bridge of Vithalpur Village on Chincholi-Bidar Road, at a distance of about 3 miles from the factory. The person who died on the spot is one Sri, Abbas khan son of Mahboob Khan, aged about 35 years a resident, Chimanchod in Chincholi taluk in Gulbarga District.

The number of persons injured is reported to be 53. All the injured persons were attended to by the Medical Officer, Bidar. There are no reports to confirm that hands of 3 persons were amputed.

The police, are reported to have taken act on to charge sheet the driver and the management in the Court of the I Class Magistrate, Bidar. U/s 304-A and 357 and 338 of the I. P. C. The place of accident happens to be outside the factory premises, at a distance of about 3 miles. Therefore no report of accident under the Factories Act was submitted to the Chief Inspector of Factories and Boilers. A report has been made to the Workmens Compensation Commissioner (Assistant Commissioner, Bidar) in the matter. Action is being taken by him. Though the matter is as old as 21st December 1971, no intimation of the accident or any

request for compensation by the injured has been received either by the Factory Inspector or the officers of the Labour Department. However, the officers of the department have now been instructed to persuade the management to give relief to the deceased and the injured persons pending disposal of the case by workmens Compensation Commissioner, Bidar. The position is being watched.

Sri V. N. PATIL.—I find from the reply given by the Hon'ble Minister for Labour that the old tradition is being continued. Actually, most of the facts are suppressed and shelter is being taken under the provisions of law. Though a report has been made to the Assistant Commissioner, it is stated that no application for compensation has been made; even though 70 persons suffered injuries, multiple injuries, the Government has not even moved its little finger. Why not the Government cancel the licence of the factory? The entire district of Bidar is agitated over this matter. The Superintendent of Police, Bidar, intervened in this matter and asked for only one week's time for a report. Because it was election period, the Communist party did not raise this issue in a vigorous manner. If the party had raised the issue, others would have said that it is an election stunt. May I know why the police have not taken action so far excepting sending a charge-sheet? Though the Superintendent of Police intervened, nothing has been done to give relief to the sufferers.

Sri AZEEZ SAIT.—The hon. member met me earlier about this matter. This matter was referred to the concerned authorities for sending a report. I do admit that the Factory Inspector should have been more vigilant in sending a comprehensive report to the Government. When I had been to Gulbarga recently, I visited the factory and necessary instructions were given, and it is only after that a report has come. A report has been made to the Commissioner under the Workmen's Compensation Act. But, the Union or the heirs of the deceased ought to have made an application under the Compensation Act, which has not been done even now.

The Superintendent of Police, who promised to intervene in this matter, is doing his best and his report is awaited. I tried to contact the concerned official, through the departmental Secretary to Government, to know the progress in this behalf. I can assure the hon. member that I have taken note of the issue and it will be dealt with on humanitarian grounds.

About cancellation of licence to the factory, the same will be examined if it is going to serve the purpose of the Labour Union or the Trade Union. But the benefits could be taken only if the factory is there. Necessary action will be taken after I get a comprehensive report. I request the hon. member to see that the Union takes up the question of payment of *ex-gratia* grant under the Compensation Act and when the matter is taken up by the Union, I shall use my good offices in this behalf. We will have to consider as to how much liability is to be fixed on either side.

Sri M. S. KRISHNAN (Malleswaram).—The statement coming from a dynamic Labour Minister unfortunately appears to be self-contradictory.

I want to seek a clarification from the Hon'ble Minister for Labour on the following points: (1) It is said in para 2 of page 2 of the statement that "there are no reports to confirm that hands of 3 persons were amputed" (2) In the last para of the statement it is stated that "a report has been made to the Workmens Compensation Commissioner (Assistant Commissioner, Bidar) in the matter.' Of course, you rightly pointed out that the the Union should have taken up the matter with the management. Unfortunately, there is no union. Therefore it was not possible to take up the matter with the concerned authorities. Atleast the worker should have taken up the matter with the concerned people because that was his responsibility. But the Inspector of Factories has totally shirked his responsibility from sending a report. Even according to your own report, he has not till now sent any report in regard to this to the Labour Department even though the incident took place on 21st December 1971. The failure of the officer in not sending the report, is a larger issue which has to be viewed seriously. This is not the first instance where the Inspector has not sent the report but there are several cases where the Inspectors under the influence of employers do not send reports. These inspectors take money from the Employers and leave the workers to suffer. May I request the Minister whether he would take stringent action against the erring Inspector of Factories ?

Sri AZEEZ SAIT.—I may inform the Hon. Member that I had instructed personally the Inspector of Factories to meet the injured in the Hospital at Gulbarga. The Inspector was waiting for an information from the Hospital authorities and hence he was unable to send his report. Besides, the names of three persons whose hands are amputed, are said to be on the rolls of the management. This is not the last and final report, I am expecting a comprehensive report in this regard. I will certainly look into the matter soon after the report is received. I may assure the Hon. Member that nobody would be spared for dereliction of his duty. The case will be considered purely on humanitarian grounds. The concerned officials will be pulled up and the administration will be toned up. In this particular case, the concerned workers should take up the matter with the management. My hon. friend Sri M. S. Krishnan is a more seasoned labour leader than myself and he knows well the procedure in this behalf.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ (ಸೊರಬ).—ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಉತ್ತರ ಕೊಡುವಾಗ ವರ್ಕ್‌ಮೆನ್ಸ್ ಕಾಂಪೆನ್‌ಸೇಷನ್ ಆಕ್ಟ್ ಪ್ರಕಾರ ಪರಿಹಾರ ಕೊಡುವ ಬಗ್ಗೆ ಕಮೀಷನರ ಸಲಹೆಯನ್ನು ಕೇಳಬೇಕಾಗುತ್ತದೆ ಎನ್ನುತಕ್ಕಂಥಾ ವಿಷಯವನ್ನು ಹೇಳಿದರು. ಆದರೆ ಆಕ್ಟ್ ಪ್ರಕಾರ ತೊಂದರೆಗೆ ಒಳಗಾದ ವ್ಯಕ್ತಿಗೆ ಪರಿಹಾರ ಸಿಕ್ಕುವುದು ಬಹಳ ತಡವಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಅವರಿಗೆ ಅನ್ಯಾಯ ಆಗದ ಹಾಗೆ ಕಾಂಪೆನ್‌ಸೇಷನ್ ಕೊಡಿಸುವುದಕ್ಕೆ ಸರ್ಕಾರದವರು ಪ್ರಯತ್ನ ಮಾಡುತ್ತೀರಾ ?

Sri AZEEZ SAIT.—As the Hon. Member knows, the Workmens Compensation Commissioner is there to give benefit to the workers. As per rules, the management has to deposit the amount. If the management is guilty, then I can take suitable action in the matter. In the absence of any initiative taken by the workers, it would be rather difficult to take action in the matter. However, I may suggest Hon. Members Sri V. N. Patil and Krishnan to take up the matter with the concerned authority.

Sri V. N. PATIL.—May I bring to the notice of the Hon. Minister that semi-famine conditions exist in Bidar District where a worker is prepared to work for 0-50 N.P. a day. You can just imagine the plight of the poor peo le there. In the present case, husband and his wife along with 3 children were travelling in the trolly to attend to work in the factory. This is a seasonal factory which works for three months in a year. The management has failed to bring to the notice of the Factory Inspector about the incident. According to rules, it is the bounden duty of the management to bring it to the notice of the Factory Inspector within 24 hours of its occurrence, but it has failed in its duty. The Government has not raised a little finger against the driver who was driving the vehicle without any licence. I am glad that the Government has shown sympathy in this respect but I feel that these are all lip sympathies. The Hon. Minister is hesitating to move his little finger against the driver who has driven without any licence.

Sri AZEEZ SAIT.—Government is always prepared to rectify the irregularties if any. I may assure the Hon. Member that I will use my good offices for securing some interim relief to the victims. I hope this would satisfy my Hon. friend.

Notice of a question of privilege etc., *re*: the Incident on 12-4-1972,

ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ (ನಾಗರ). -ಮಾನ್ಯ ಅಧ್ಯಕ್ಷೆಣಿಯವರೇ ನಾನು ರೂಲ್ 312ರ ಪ್ರಕಾರ ಒಂದು ನೋಟೀಸ್ ಕಳುಹಿಸಿದ್ದೆ. ಅದು ಏನಾಗಿದೆ ಎಂಬುದು ಗೊತ್ತಾಗಲಲ್ಲ. ರಾಜ್ಯಸಭಾ ಚುನಾವಣೆಯಲ್ಲಿ ನಡೆದಂತಹ ಕಾಂಗ್ರೆಸ್ ವೋಟಿಂಗ್ ಬಗ್ಗೆ ಈ ಸದನದ ಸದಸ್ಯರನ್ನು ಹೆದರಿಸುವ ರೀತಿಯಲ್ಲಿ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಒಂದು ಹೇಳಿಕೆಯನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಅದರ ಬಗ್ಗೆ ನಾನು ಒಂದು ಕಾಲ್ ಅಟೆನ್‌ಷನ್ ನೋಟೀಸ್ ಕಳುಹಿಸಿದ್ದೆ. ಅದು ಏನಾಯಿತು ಎಂಬುದು ಗೊತ್ತಾಗಲಲ್ಲ.

ಅಧ್ಯಕ್ಷರು.—ಆ ವಿಚಾರದಲ್ಲಿ ತಮ್ಮ ಯಾವ ನೋಟೀಸೂ ನಮಗೆ ಬಂದಿಲ್ಲ.

ಶ್ರೀ ಸಿ. ಬೈರೇಗೌಡ.—ನಾನು ಒಂದು ಕಾಲ್ ಅಟೆನ್‌ಷನ್ ನೋಟೀಸ್ ಕಳುಹಿಸಿದ್ದೆ. ಅದು ಏನಾಗಿದೆ ಎಂಬುದು ಗೊತ್ತಾಗಲಲ್ಲ ? ಅದು ಕುಡಿಯುವ ನೀರಿನ ವಿಷಯ.

ಅಧ್ಯಕ್ಷರು.—ಅದು ಡ್ಯೂ ಕೋರ್ಸ್‌ನಲ್ಲಿ ಬರುತ್ತದೆ.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ನನ್ಮಾನ್ಯ ಸಭಾಧ್ಯಕ್ಷಣಿಯವರೇ ಮೊನ್ನೆ ಈ ಸಭೆಯಲ್ಲಿ ನಡೆದಂತಹ ಘಟನೆಯ ಬಗ್ಗೆ ಹಾಗೂ ಶ್ರೀಮಾನ್ ಮಲ್ಲಪ್ಪನವರ ಪ್ರಿವಿಲೇಜ್ ವೋಷನ್ ಬಗ್ಗೆ ಈ ದಿವಸ ತಾವು ತಮ್ಮ ತೀರ್ಪನ್ನು ಕೊಡತಕ್ಕವರಾಗಿದ್ದೀರಿ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ನಾನು ಆ ವಿಷಯದ